

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

The application includes claims 1-9. Multiple dependencies have been eliminated from the claims. Claim 9 has been amended to depend from claim 1.

Specification

The title has been changed in view of the objection and suggestion of the Examiner. If the Examiner feels that a further change is needed, the undersigned would be glad to discuss this subject by phone.

Claim Objections

Withdrawal of the objection with respect to claims 4-8 and 14-15 respectfully is requested in view of the amendment to respective claims eliminating multiple dependencies.

Claim Rejections - 35 USC § 112

Withdrawal of the rejection of claim 3 under 35 U.S.C. 112, second paragraph, respectfully is requested in view of the amendment to claim 3 eliminating multiple dependency.

Claim Rejections - 35 USC § 102 and § 103

Withdrawal of the rejection of claim 9 under 35 U.S.C. 102(b) as being anticipated by Nishino et al., US 2001/0005454 A1, respectfully is requested. Claim 9 has been amended to depend from claim 1. The rejection of claim 1 is discussed below.

Withdrawal of the rejection of claims 1-3 under 35 U.S.C. 103(a) as being unpatentable over Umezawa et al., US Patent 5,491,507 in view of Nagata et al., US 2002/0067426 A1, respectfully is requested for at least the following reasons.

The Examiner alleges that it would have been obvious for one of ordinary skill in the art to modify the teaching of Umezawa to have the image producing apparatus located in the first housing portion or the second housing portion of the portable communication apparatus, and to have the optical arrangement to extend an optical path of the image producing apparatus from the first housing portion or the second housing portion to the optical input located in the rotary support member.

Although Nagata seems to disclose an electronic camera including a body, an image sensor in the body of the camera, and a rotary member connected to the body, the rotary member comprising a lens to extend an optical path of the image producing apparatus from the body to the optical input located in the rotary member, this would not be a solution provided by the present claimed invention of claims 1-3.

For example, with reference to Figs. 1 and 2 of Nagata, the optical path would extend from the body (2) to the optical input (lenses 6, 7) via the imaging unit (3), wherein the optical path follows the rotation axis of the imaging unit including the optical input. If a person who has ordinary skill in the art, contrary to expectation, would use the teaching of Nagata in the apparatus of Umezawa, this would result in an extension of the optical path between the optical input (Fig. 13, item 61) to any of the rotary support members (Fig. 13, hinges 51a and 51b), which are located in the rotation axis of the optical input, according to the teaching of Nagata. This would lead the person of ordinary skill in the art to have the image producing apparatus in the rotary support members, i.e., hinges 51a, and 51b.

Even if the person having ordinary skill in the art would consider arranging the image producing apparatus in any of the first or second housings, Nagata fails to disclose how to extend the optical path further from any of the first or second housings to the hinges and further to the central member 61 (comprising the camera) and finally to the optical input.

For at least the above reasons, the subject matter of claim 1 and of the claims that depend from claim 1 would not have been obvious to a person having ordinary skill in the art in view of Umezawa in combination with Nagata. Accordingly, it is respectfully submitted that this rejection should be withdrawn.

Conclusion

In view of the foregoing, it is believed that all of claims 1-9 are patentable over the applied references, and, accordingly, a request is made for timely issuance of a notice of allowance.

If there are any questions or if the Examiner feels that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is respectfully requested to telephone applicant's attorney at the number below.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

Date: June 23, 2008

By /Warren A. Sklar/
Warren A. Sklar, Reg. No. 26,373

1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
PH: (216) 621-1113
FAX: (216)621-6165

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Patent and Trademark Office to the Attention of **Examiner Nelson D. Hernandez**.

/Warren A. Sklar/
Warren A. Sklar

June 23, 2008
Date

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